

**5383. Adulteration and misbranding of oranges. U. S. \* \* \* v. 316 Boxes of Oranges \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 7907, 7908. I. S. No. 22145-m. S. Nos. W-151, W-152.)

On December 7, 1916, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 316 boxes of oranges, consigned by Hunt Hatch & Co., Lindsay, Cal., and remaining unsold in the original unbroken packages at Laramie and Cheyenne, Wyo., alleging that the article had been shipped on or about November 18, 1916, and transported from the State of California into the State of Wyoming, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Prize brand fancy oranges \* \* \* Hunt, Hatch & Co. Strathmore, Calif."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that the statement, "Prize brand fancy oranges," was false and misleading in that said oranges were not first class, or prize oranges, or fancy oranges, but were, in truth and in fact, of inferior quality, having been frozen before shipment.

On January 4, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*